

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

FILED IN OPEN COURT  
U.S.D.C. - Atlanta

DEC 15 2020

JAMES N. HATTEN, Clerk  
By:  Deputy Clerk

UNITED STATES OF AMERICA

*v.*

RASHAD SARGEANT,  
SHUNQUEZ STEPHENS, AND  
DAVID JOHNSON A/K/A  
"BRANDON WILLIAMS"

Criminal Indictment

No. **1:20CR 495**

THE GRAND JURY CHARGES THAT:

**Count One**  
***Conspiracy - 18 U.S.C. § 371***

Beginning on a date unknown, but at least by in or about February 2019, and continuing through in or about November 2019, in the Northern District of Georgia and elsewhere, the Defendants, RASHAD SARGEANT, SHUNQUEZ STEPHENS, and DAVID JOHNSON, also known as "Brandon Williams," and persons and known and unknown to the Grand Jury, knowingly and willfully conspired, agreed, and had a tacit understanding with one another to smuggle goods from the United States, in violation of Title 18, United States Code, Section 544, and to make false statements to federally licensed firearms dealers, in violation of Title 18, United States Code, Section 922(a)(6).

**Manner and Means of the Conspiracy**

1. As part of the conspiracy, Defendants RASHAD SARGEANT and SHUNQUEZ STEPHENS, and a person known to the Grand Jury, purchased firearms from various federally licensed firearms dealers in the Northern District

of Georgia. In purchasing the firearms, SARGEANT and STEPHENS, and a person known to the Grand Jury, made false statements to the federally licensed firearms dealer, in that each person falsely stated that he was buying the firearm(s) for himself in an ATF Form 4473. ATF Form 4473 is the official firearms transaction record for intrastate, over-the-counter sales, and dispositions of firearms, which must be maintained by federally licensed firearms dealers.

2. As part of the conspiracy, SARGEANT and Defendant DAVID JOHNSON, also known as "Brandon Williams," shipped and exported the firearms to Barbados using common carriers, such as FedEx, UPS, and DHL, in the Northern District of Georgia and elsewhere, without notifying the common carriers that the shipped packages contained firearms.

#### **Overt Acts**

In furtherance of the conspiracy, and to effect its purposes and objectives, the Defendants, RASHAD SARGEANT, SHUNQUEZ STEPHENS, and DAVID JOHNSON, also known as "Brandon Williams," and persons known and unknown to the Grand Jury, knowingly committed at least one of the following Overt Acts in the Northern District of Georgia and elsewhere, including but not limited to:

1. On or about February 13, 2019, SARGEANT bought a firearm from Arrowhead Pawn Shop, a federally licensed firearms dealer ("FFL") in Jonesboro, Georgia, in the Northern District of Georgia. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearm for himself.

2. On or about March 4, 2019, SARGEANT bought two firearms from Arrowhead Pawn Shop. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

3. On or about March 26, 2019, SARGEANT bought three firearms from Arrowhead Pawn Shop. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

4. On or about March 27, 2019, SARGEANT bought a firearm from Moss Pawn, an FFL in Jonesboro, Georgia, in the Northern District of Georgia. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearm for himself.

5. On or about April 10, 2019, M.B. bought two firearms from Moss Pawn. M.B. falsely stated on ATF Form 4473 that he was buying the firearms for himself.

6. On or about April 18, 2019, SARGEANT bought two firearms from Moss Pawn. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

7. On or about April 19, 2019, JOHNSON, using the identity of "C.B.," shipped four firearms purchased by SARGEANT and M.B., using the FedEx facility in East Point, Georgia, in the Northern District of Georgia. JOHNSON shipped and exported the firearms to Barbados without notifying FedEx that the package contained firearms.

8. On or about May 15, 2019, SARGEANT bought two firearms from Range, Guns, & Safes, an FFL in College Park, Georgia, in the Northern District of

Georgia. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

9. On or about May 20, 2019, SARGEANT bought two firearms from Autry's Armory, an FFL in Fayetteville, Georgia, in the Northern District of Georgia. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

10. On or about May 22, 2019, JOHNSON, using the identity of "Brandon Williams," shipped four firearms purchased by SARGEANT, using the UPS facility in Morrow, Georgia, in the Northern District of Georgia. JOHNSON shipped and exported the firearms to Barbados without notifying UPS that the package contained firearms.

11. On or about June 12, 2019, SARGEANT bought two firearms from Union City Jewelry & Pawn, an FFL in Union City, Georgia, in the Northern District of Georgia. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

12. On or about June 19, 2019, SARGEANT bought two firearms from Arrowhead Pawn Shop. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

13. On or about June 25, 2019, JOHNSON, using the identity of "Brandon Williams," shipped a package containing firearms using the FedEx facility in Fairview Heights, Illinois. JOHNSON shipped and exported the firearms to Barbados without notifying FedEx that the package contained firearms.

14. On or about July 8, 2019, SARGEANT bought two firearms from the Army Navy Store, an FFL in Stockbridge, Georgia, in the Northern District of Georgia. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

15. On or about July 8, 2019, SARGEANT bought two firearms from Union City Jewelry & Pawn. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

16. On or about July 9, 2019, JOHNSON, using the identity of "Brandon Williams," shipped four firearms purchased by SARGEANT, using the FedEx facility in Fairview Heights, Illinois. JOHNSON shipped and exported the firearms to Barbados without notifying FedEx that the package contained firearms.

17. On or about July 30, 2019, SARGEANT bought two firearms from Union City Jewelry & Pawn. SARGEANT falsely stated on ATF Form 4473 that he was buying the firearms for himself.

18. On or about August 10, 2019, STEPHENS bought two firearms from Union City Jewelry & Pawn. STEPHENS falsely stated on ATF Form 4473 that he was buying the firearms for himself.

19. On or about August 21, 2019, STEPHENS bought two firearms from Moss Pawn. STEPHENS falsely stated on ATF Form 4473 that he was buying the firearms for himself.

20. On or about August 21, 2019, STEPHENS bought three firearms from Range, Guns, & Safes. STEPHENS falsely stated on ATF Form 4473 that he was buying the firearms for himself.

21. On or about August 22, 2019, JOHNSON, using the identity of "Brandon Williams," shipped five firearms purchased by STEPHENS, using the DHL facility in Atlanta, Georgia, in the Northern District of Georgia. JOHNSON shipped and exported the firearms to Barbados without notifying DHL that the package contained firearms.

22. On or about September 5, 2019, STEPHENS bought two firearms from Arrowhead Pawn Shop. STEPHENS falsely stated on ATF Form 4473 that he was buying the firearms for himself.

23. On November 2, 2019, STEPHENS bought a firearm from Autry's Armory. STEPHENS falsely stated on ATF Form 4473 that he was buying the firearm for himself.

24. On or about November 19, 2019, a person known to the Grand Jury shipped four firearms, including one purchased by STEPHENS, using the FedEx facility in Fayetteville, Georgia, in the Northern District of Georgia. The person known to the Grand Jury shipped and exported the firearms to Barbados without notifying FedEx that the package contained firearms.

All in violation of Title 18, United States Code, Section 371.

### Counts Two through Three

#### *False Statement to a Federally Licensed Firearms Dealer – 18 U.S.C. § 922(a)(6)*

On or about each of the dates alleged in the chart below, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, aided and abetted by each other, knowingly made a false and fictitious written statement to a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, as described in the chart below, in connection with the acquisition of the firearm listed in the chart below, which statement was intended and likely to deceive the licensed dealer of firearms as to a fact material to the lawfulness of the acquisition of said firearm by RASHAD SARGEANT under Chapter 44, Title 18, United States Code, that is:

| Count | Date           | Licensed Firearms Dealer         | Firearm Acquired by Defendant            |
|-------|----------------|----------------------------------|--|
| Two   | March 27, 2019 | Moss Pawn Shop,<br>Jonesboro, GA | One Glock, model 17, 9mm pistol          |
| Three | April 18, 2019 | Moss Pawn Shop,<br>Jonesboro, GA | One Glock, model 32, .357 caliber pistol |

in that RASHAD SARGEANT falsely represented that he was the actual buyer of said firearm and was not purchasing the firearm on behalf of another person when, as he then knew, he was not the true purchaser of the firearm, all in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2), and Section 2.

### Count Four

#### *Unlawful Shipment of a Firearm – 18 U.S.C. § 922(e)*

On or about April 19, 2019, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, also known as

“Brandon Williams,” aided and abetted by each other, knowingly delivered, and caused to be delivered, firearms to a common contract carrier, that is:

- a. Two (2) Glock, model 17, 9mm pistols;
- b. One (1) Glock, model 27, .40 caliber pistol; and
- c. One (1) Glock, model 32, .357 caliber pistol,

for transportation and shipment in interstate and foreign commerce to a person who is not a licensed importer, manufacturer, dealer, and collector, without notice to the carrier, that is FedEx, that a firearm was being transported and shipped, in violation of Title 18, United States Code, Section 922(e), and Section 2.

**Count Five**  
***Unlawful Export of a Firearm – 18 U.S.C. § 554(a)***

On or about April 19, 2019, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, also known as “Brandon Williams,” aided and abetted by each other, did fraudulently and knowingly attempt to export and send merchandise, articles, and objects from the United States to Barbados, that is:

- a. Two (2) Glock, model 17, 9mm pistols;
- b. One (1) Glock, model 27, .40 caliber pistol; and
- c. One (1) Glock, model 32, .357 caliber pistol,

contrary to the laws and regulations of the United States, by failing to notify a common contract carrier, that is, FedEx, that there would be firearms in a shipment, in violation of Title 18, United States Code, Section 922(e), all in violation of Title 18, United States Code, Section 554(a), and Section 2.



**Counts Six through Seven**

***False Statement to a Federally Licensed Firearms Dealer - 18 U.S.C. § 922(a)(6)***

On or about each of the dates alleged in the chart below, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, aided and abetted by each other, knowingly made a false and fictitious written statement to a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, as described in the chart below, in connection with the acquisition of at least one of the corresponding firearms listed in the chart below, which statement was intended and likely to deceive the licensed dealer of firearms as to a fact material to the lawfulness of the acquisition of said firearm(s) by RASHAD SARGEANT under Chapter 44, Title 18, United States Code, that is:

| Count | Date         | Licensed Firearms Dealer                  | Firearm(s) Acquired by Defendant  |
|-------|--------------|---|---|
| Six   | May 15, 2019 | Range, Guns, & Safes,<br>College Park, GA | One Taurus, model G2S, .40 caliber pistol and one Taurus, model G2C, 9mm pistol |
| Seven | May 20, 2019 | Autry's Armory,<br>Fayetteville, GA       | Two Taurus, model G2C, 9mm pistols  |

in that RASHAD SARGEANT falsely represented that he was the actual buyer of said firearm(s) and was not purchasing the firearm(s) on behalf of another person when, as he then knew, he was not the true purchaser of the firearm(s), all in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2), and Section 2.

**Count Eight**  
***Unlawful Shipment of a Firearm – 18 U.S.C. § 922(e)***

On or about May 22, 2019, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, also known as “Brandon Williams,” aided and abetted by each other, knowingly delivered, and caused to be delivered, firearms to a common contract carrier, that is:

- a. Three (3) Taurus, model G2C, 9mm pistols; and
- b. One (1) Taurus, model G2S, .40 caliber pistol,

for transportation and shipment in interstate and foreign commerce to a person who is not a licensed importer, manufacturer, dealer, and collector, without notice to the carrier, that is, UPS, that a firearm was being transported and shipped, in violation of Title 18, United States Code, Section 922(e), and Section 2.

**Count Nine**  
***Unlawful Export of a Firearm – 18 U.S.C. § 554(a)***

On or about May 22, 2019, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, also known as “Brandon Williams,” aided and abetted by each other, did fraudulently and knowingly attempt to export and send merchandise, articles, and objects from the United States to Barbados, that is:

- a. Three (3) Taurus, model G2C, 9mm pistols; and
- b. One (1) Taurus, model G2S, .40 caliber pistol,

contrary to the laws and regulations of the United States, by failing to notify a common contract carrier, that is, UPS, that there would be firearms in a

shipment, in violation of Title 18, United States Code, Section 922(e), all in violation of Title 18, United States Code, Section 554(a), and Section 2.

### **Counts Ten through Eleven**

#### ***False Statement to a Federally Licensed Firearms Dealer - 18 U.S.C. § 922(a)(6)***

On or about each of the dates alleged in the chart below, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, aided and abetted by each other, knowingly made a false and fictitious written statement to a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, as described in the chart below, in connection with the acquisition of at least one of the corresponding firearms listed in the chart below, which statement was intended and likely to deceive the licensed dealer of firearms as to a fact material to the lawfulness of the acquisition of said firearm(s) by RASHAD SARGEANT under Chapter 44, Title 18, United States Code, that is:

| <b>Count</b> | <b>Date</b>  | <b>Licensed Firearms Dealer</b>              | <b>Firearm(s) Acquired by Defendant</b> |
|--------------|--------------|--|---|
| Ten          | July 8, 2019 | Army Navy Store,<br>Stockbridge, GA          | Two Taurus, model<br>G2C, 9mm pistols   |
| Eleven       | July 8, 2019 | Union City Jewelry &<br>Pawn, Union City, GA | Two Taurus, model<br>G2C, 9mm pistols   |

in that RASHAD SARGEANT falsely represented that he was the actual buyer of said firearm(s) and was not purchasing the firearm(s) on behalf of another person when, as he then knew, he was not the true purchaser of the firearm(s), all in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2), and Section 2.

**Counts Twelve through Thirteen**

***False Statement to a Federally Licensed Firearms Dealer – 18 U.S.C. § 922(a)(6)***

On or about each of the dates alleged in the chart below, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and SHUNQUEZ STEPHENS, aided and abetted by each other, knowingly made a false and fictitious written statement to a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, as listed in the chart below, in connection with the acquisition of at least one of the corresponding firearms listed in the chart below, which statement was intended and likely to deceive the licensed dealer of firearms as to a fact material to the lawfulness of the acquisition of said firearm(s) by SHUNQUEZ STEPHENS under Chapter 44, Title 18, United States Code, that is:

| <b>Count</b> | <b>Date</b>     | <b>Licensed Firearms Dealer</b>           | <b>Firearm(s) Acquired<br/>by Defendant</b>  |
|--------------|-----------------|---|--|
| Twelve       | August 21, 2019 | Moss Pawn Shop,<br>Jonesboro, GA          | One Glock, model<br>26, 9mm pistol and<br>one Glock, model<br>30S, .45 caliber<br>pistol |
| Thirteen     | August 21, 2019 | Range, Guns, & Safes,<br>College Park, GA | Three Taurus,<br>model G2C, 9mm<br>pistols   |

in that SHUNQUEZ STEPHENS falsely represented that he was the actual buyer of said firearm(s) and was not purchasing the firearm(s) on behalf of another person, when, as he then knew, he was not the true purchaser of the firearm(s), all in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2), and Section 2.

**Count Fourteen**  
***Unlawful Shipment of a Firearm – 18 U.S.C. § 922(e)***

On or about August 22, 2019, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, also known as “Brandon Williams,” aided and abetted by each other, knowingly delivered, and caused to be delivered, firearms to a common contract carrier, that is:

- a. Three (3) Taurus, model G2C, 9mm pistols;
- b. One (1) Glock, model 26, 9mm pistol; and
- c. One (1) Glock, model 30S, .45 caliber pistol,

for transportation and shipment in interstate and foreign commerce to a person who is not a licensed importer, manufacturer, dealer, and collector, without notice to the carrier, that is, DHL, that a firearm was being transported and shipped, in violation of Title 18, United States Code, Section 922(e), and Section 2.

**Count Fifteen**  
***Unlawful Export of a Firearm – 18 U.S.C. § 554(a)***

On or about August 22, 2019, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, also known as “Brandon Williams,” aided and abetted by each other, did fraudulently and knowingly attempt to export and send merchandise, articles, and objects from the United States to Barbados, that is:

- a. Three (3) Taurus, model G2C, 9mm pistols;
- b. One (1) Glock, model 26, 9mm pistol; and
- c. One (1) Glock, model 30S, .45 caliber pistol,

contrary to the laws and regulations of the United States, by failing to notify a common contract carrier, that is, DHL, that there would be firearms in a shipment, in violation of Title 18, United States Code, Section 922(e), all in violation of Title 18, United States Code, Section 554(a), and Section 2.

#### **Count Sixteen**

##### ***False Statement to a Federally Licensed Firearms Dealer – 18 U.S.C. § 922(a)(6)***

On or November 2, 2019, in the Northern District of Georgia, the Defendants, RASHAD SARGEANT and SHUNQUEZ STEPHENS, aided and abetted by each other, knowingly made a false and fictitious written statement to a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, that is, Autry's Armory located in Fayetteville, Georgia, in connection with the acquisition of a firearm, that is, one (1) Taurus, model G2C, 9mm pistol, which statement was intended and likely to deceive Autry's Armory as to a fact material to the lawfulness of the acquisition of the firearm by SHUNQUEZ STEPHENS under Chapter 44, Title 18, United States Code, in that SHUNQUEZ STEPHENS falsely represented that he was the actual buyer of the firearm and was not purchasing the firearm on behalf of another person, when, as he then knew, he was not the true purchaser of the firearm, all in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2), and Section 2.

#### **Forfeiture Provision**

Upon conviction of any of the offenses alleged in Counts One, Two through Four, Six through Eight, Ten through Fourteen and/or Sixteen of this Indictment,

the defendants, RASHAD SARGEANT, SHUNQUEZ STEPHENS, and DAVID JOHNSON, also known as "Brandon Williams," shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense(s).

Upon conviction of one or more of the offenses alleged in Counts Five, Nine, and/or Fifteen of this Indictment, the Defendants, RASHAD SARGEANT and DAVID JOHNSON, also known as "Brandon Williams," shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, constituting or derived from proceeds traceable to the violation or conspiracy to commit the violation(s), including but not limited to the firearms described above and any ammunition associated with those firearms.

If, as a result of any act or omission of the defendant, any property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without undue complexity or difficulty;

the United States intends, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek

forfeiture of any other property of the defendant(s) up to the value of the above forfeitable property.

A TRVE BILL  
Shenoy  
FOREPERSON

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